

Notice of Allowability

Application No.

09/839,037

Examiner

Joseph A. Fischetti

Applicant(s)

NAISH ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Board's Decision dated 3/23/06
2. ☒ The allowed claim(s) is/are 14-23
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Joseph A. Fischetti
JOSEPH A. FISCHETTI
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

The following is an examiner's statement of reasons for allowance:

1. Statement of Reasons for Allowance

The Board decision dated March 23, 2006 clearly interprets claim 14, the sole independent claim, as positively reciting a processor being in selective communication with both a customer client and a supplier client and in operable communication with a storefront database as recited in claim 14. Muhme fails to disclose such a three way arrangement coupled by a common processor. In addition, the Board decision further reads as a positive limitation, the preamble phrase "adapted to manage transfer of parts stored in a secure area by a supplier to a customer via a computer network". Thus, the system of claim 14 further requires parts be stored in a secured area by the supplier and transferred to a customer and that this transfer be managed by the data processing system. Because Muhme does not disclose customer and supplier clients coupled by a common processor, it fails to meet this limitation. The Board decision goes further to highlight the limitation of the program instructions "receiving secure area part reception information from the customer client via the computer network" as a limitation which is positively recited and which limitation cannot be met by Muhme because the Board did not find disclosed separate customer and supplier clients, and hence no part reception information from a customer client could exist.

2. Search Area and Tools

See record

3. Search Query

See records

4. Reference Citations

US: Muhme, US 5886634, neither discloses or suggests the combination of elements interpreted a positive recitations by the Boards decision dated March 23, 2006. The Board decision dated March 23, 2006 clearly interprets claim 14, the sole independent claim, as positively reciting a processor being in selective communication with both a customer client and a supplier client and in operable communication with a storefront database as recited in claim 14. Muhme fails to disclose such a three-way arrangement coupled by the processor. In addition, the Board decision further reads as a positive limitation, the preamble phrase "adapted to manage transfer of parts stored in a secure area by a supplier to a customer via a computer network". Thus, the system of claim 14 further requires parts be stored in a secured area by the supplier and transferred to a customer and that this transfer is managed by the data processing system. Because Muhme does not disclose a customer and supplier clients coupled by a common processor, it fails to meet this limitation. The Board decision goes further to highlight the limitation of the program instructions "receiving secure area part reception

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information from the customer client via the computer network” as a limitation which is positively recited and which limitation cannot be met by Muhme because the Board did not find disclosed separate customer and supplier clients, and hence no part reception information from a customer client could exist.

Foreign: GB 2214673 discloses a secure area device which tracks the item to which it is attached, but does not disclose or suggest the combination of elements of claim 14, the sole independent claim, as positively reciting a processor being in selective communication with both a customer client and a supplier client and in operable communication with a storefront database as recited in claim 14. GB’ 673 fails to disclose such a three-way arrangement coupled by the processor. In addition, the Board decision further reads as a positive limitation, the preamble phrase “adapted to manage transfer of parts stored in a secure area by a supplier to a customer via a computer network”. Thus, the system of claim 14 further requires parts be stored in a secured area by the supplier and transferred to a customer and that this transfer is managed by the data processing system. Because GB’673 does not disclose a customer and supplier clients coupled by a common processor, it fails to meet this limitation. The Board decision goes further to highlight the limitation of the program instructions “receiving secure area part reception information from the customer client via the computer network” as a limitation which is positively recited and which limitation cannot be met by GB’673 because the Board did not find disclosed separate customer

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and supplier clients, and hence no part reception information from a customer client could exist.

NPL: “-ITS” discloses a customer supplier networking system but does not disclose or suggest the combination of elements of claim 14, the sole independent claim, as positively reciting a processor being in selective communication with both a customer client and a supplier client and in operable communication with a storefront database as recited in claim 14. “-ITS” fails to disclose a storefront three-way arrangement coupled by the processor. In addition, the Board decision further reads as a positive limitation, the preamble phrase “adapted to manage transfer of parts stored in a secure area by a supplier to a customer via a computer network”. Thus, the system of claim 14 further requires parts be stored in a secured area by the supplier and transferred to a customer and that this transfer is managed by the data processing system. Because “-ITS” does not disclose a secured area parts feature, it fails to meet this limitation. The Board decision goes further to highlight the limitation of the program instructions “receiving secure area part reception information from the customer client via the computer network” as a limitation which is positively recited and which limitation cannot be met by “-ITS” because “-ITS” does not disclose a secured area feature.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows:

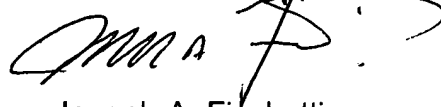
6330971 secured area item tracking using RF;

6550674 secured area item tracking;
5805455 secured area item tracking;
5930766 secured area item tracking;
6272394 secured area item tracking;
6108588 secured area item tracking;
6614349 secured area item tracking;
6057756 secured area item tracking;
6388569 electronic locating of items;
5611051 distribution process;
6098050 secured area item tracking;
6658322 secured area item tracking;
6609047 secured area item tracking;
6151536 secured area item tracking;
6639156 inventory monitoring;
6492905 RF detector of items;
6560508 parts metering system;
6486439 parts ordering system;
4887208 RF tracking system;
5732401 secured area item tracking;
6486439 parts ordering system.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to **FISCHETTI**
Fischetti at telephone number 571 272 6780.


Joseph A. Fischetti
Primary Examiner
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